



General Assembly

February Session, 2000

Amendment

LCO No. 4370

Offered by:

REP. COCCO, 127th Dist.

To: Subst. House Bill No. 5608

File No. 626

Cal. No. 330

**"An Act Concerning Selection Of A Site For The
Juvenile Matters Detention Center In Bridgeport."**

1 After line 11, add the following and renumber the remaining section
2 accordingly:

3 "Sec. 3. Section 4b-55 of the general statutes, as amended by section
4 2 of public act 99-26, section 6 of public act 99-75 and section 48 of
5 public act 99-241, is repealed and the following is substituted in lieu
6 thereof:

7 As used in this section, section 4b-1 and sections 4b-56 to 4b-59,
8 inclusive, as amended, unless the context clearly requires otherwise:

9 (a) "Commissioner" means the Commissioner of Public Works;

10 (b) "Consultant" means (1) any architect, professional engineer,
11 landscape architect, land surveyor, accountant, interior designer,
12 environmental professional or construction administrator, who is
13 registered or licensed to practice the profession for which such person
14 is licensed or registered in accordance with the applicable provisions

15 of the general statutes, or (2) any planner, construction manager or
16 financial specialist;

17 (c) "Consultant services" shall include those professional services
18 rendered by architects, professional engineers, landscape architects,
19 land surveyors, accountants, interior designers, environmental
20 professionals, construction administrators, planners, construction
21 managers or financial specialists, as well as incidental services that
22 members of these professions and those in their employ are authorized
23 to perform;

24 (d) "University of Connecticut library project" means a project to
25 renovate and improve the Homer Babbidge Library at The University
26 of Connecticut;

27 (e) "Firm" means any individual, partnership, corporation, joint
28 venture, association or other legal entity (1) authorized by law to
29 practice the profession of architecture, landscape architecture,
30 engineering, land surveying, accounting, interior design,
31 environmental or construction administration, or (2) practicing the
32 profession of planning, construction management or financial
33 specialization;

34 (f) "Priority higher education facility project" means any project
35 which is part of a state program to repair, renovate, enlarge, equip,
36 purchase or construct (1) instructional facilities, (2) academic core
37 facilities, including library, research and laboratory facilities, (3)
38 student residential or related student dining facilities, or (4) utility
39 systems related to such projects, which are or will be operated under
40 the jurisdiction of the board of trustees of any constituent unit of the
41 state system of higher education, except The University of Connecticut
42 provided the project is included in the comprehensive facilities master
43 plan of the constituent unit pursuant to section 10a-4a or in the most
44 recent state facility plan of the Office of Policy and Management
45 pursuant to section 4b-23;

46 (g) "Project" means any state program requiring consultant services

47 if (1) the cost of such services is estimated to exceed fifty thousand
48 dollars or, in the case of a constituent unit of the state system of higher
49 education, the cost of such services is estimated to exceed three
50 hundred thousand dollars, or (2) the construction costs in connection
51 with such program are estimated to exceed five hundred thousand
52 dollars; or, in the case of a constituent unit of the state system of higher
53 education, other than The University of Connecticut, the construction
54 costs in connection with such program are estimated to exceed two
55 million dollars;

56 (h) "Selection panel" or "panel" means the State Construction
57 Services Selection Panel established pursuant to subsection (a) of
58 section 4b-56 or, in the case of a Connecticut Health and Education
59 Facilities Authority project pursuant to section 10a-186a, means the
60 Connecticut Health and Education Facilities Authority Construction
61 Services Panel established pursuant to subsection (c) of section 4b-56;

62 (i) "User agency" means the state department or agency requesting
63 the project;

64 (j) "Community court project" means (1) any project to renovate and
65 improve a facility designated for the community court pilot program
66 established pursuant to section 51-181c, and (2) the renovation and
67 improvement of other state facilities required for the relocation of any
68 state agency resulting from the placement of the community court;

69 (k) "Connecticut Juvenile Training School project" means a project to
70 develop on a designated site new facilities for a Connecticut Juvenile
71 Training School in Middletown including, but not limited to,
72 preparing a feasibility study for, designing, constructing,
73 reconstructing, improving or equipping said facility for use by the
74 Department of Children and Families, which is an emergency project
75 because there is an immediate need for completion of said project to
76 remedy overcrowding at Long Lane School. Said school shall have an
77 annual average daily population of not more than two hundred forty
78 residents;

79 (l) "Downtown Hartford higher education center project" means a
80 project to develop a higher education center, as defined in
81 subparagraph (B) of subdivision (2) of section 32-600, as amended, and
82 as described in subsection (a) of section 32-612, as amended, for the
83 regional community-technical college system; and

84 (m) "Juvenile detention center project" means any project (1) which
85 is part of a state program to repair, renovate, enlarge or construct
86 juvenile detention centers which are or will be operated by the Judicial
87 Department, and (2) for which there is an immediate need for
88 completion in order to remedy overcrowding.

89 Sec. 4. Subsection (a) of section 4b-58 of the general statutes, as
90 amended by section 3 of public act 99-26, section 7 of public act 99-75
91 and section 49 of public act 99-241, is repealed and the following is
92 substituted in lieu thereof:

93 (a) (1) Except in the case of a project, The University of Connecticut
94 library project, a priority higher education facility project, a project, as
95 defined in subdivision (16) of section 10a-109c, undertaken by The
96 University of Connecticut, a community court project, a juvenile
97 detention center project, the Connecticut Juvenile Training School
98 project, and the downtown Hartford higher education center project,
99 the commissioner shall negotiate a contract for consultant services with
100 the firm most qualified, in the commissioner's judgment, at
101 compensation which the commissioner determines is both fair and
102 reasonable to the state. (2) In the case of a project, the commissioner
103 shall negotiate a contract for such services with the most qualified firm
104 from among the list of firms submitted by the panel at compensation
105 which the commissioner determines in writing to be fair and
106 reasonable to the state. If the commissioner is unable to conclude a
107 contract with any of the firms recommended by the panel, the
108 commissioner shall, after issuing written findings of fact documenting
109 the reasons for such inability, negotiate with those firms which the
110 commissioner determines to be most qualified, at fair and reasonable
111 compensation, to render the particular consultant services under

112 consideration. (3) Whenever consultant services are required for The
113 University of Connecticut library project, a priority higher education
114 facility project, a community court project, a juvenile detention center
115 project, the Connecticut Juvenile Training School project, or the
116 downtown Hartford higher education center project, the commissioner
117 shall select and interview at least three consultants or firms and shall
118 negotiate a contract for consultant services with the firm most
119 qualified, in the commissioner's judgment, at compensation which the
120 commissioner determines is both fair and reasonable to the state,
121 except that if, in the opinion of the commissioner, the Connecticut
122 Juvenile Training School project needs to be expedited in order to meet
123 the needs of the Department of Children and Families, the
124 commissioner may waive such selection requirement. Except for the
125 downtown Hartford higher education center project, the commissioner
126 shall notify the State Properties Review Board of the commissioner's
127 action within five business days, for its approval or disapproval in
128 accordance with subsection (i) of section 4b-23, as amended, except
129 that if, within fifteen days of such notice, a decision has not been made,
130 the board shall be deemed to have approved such contract. The
131 Connecticut Juvenile Training School project shall be exempt from the
132 State Properties Review Board approval process.

133 Sec. 5. Section 4b-91 of the general statutes, as amended by section 4
134 of public act 99-26, section 8 of public act 99-75 and section 50 of public
135 act 99-241, is repealed and the following is substituted in lieu thereof:

136 (a) Every contract for the construction, reconstruction, alteration,
137 remodeling, repair or demolition of any public building for work by
138 the state, which is estimated to cost more than five hundred thousand
139 dollars, except (1) a contract awarded by the Commissioner of Public
140 Works for (A) a community court project, as defined in subsection (j) of
141 section 4b-55, (B) the Connecticut Juvenile Training School project, as
142 defined in subsection (k) of section 4b-55, as amended, (C) the
143 downtown Hartford higher education center project, as defined in
144 subsection (l) of section 4b-55, as amended, [or] (D) The University of
145 Connecticut library project, as defined in subsection (d) of section 4b-

146 55, or (E) a juvenile detention center project, as defined in subsection
147 (m) of section 4b-55, as amended by this act, or (2) a project, as defined
148 in subdivision (16) of section 10a-109c, undertaken and controlled by
149 The University of Connecticut in accordance with section 10a-109n,
150 shall be awarded to the lowest responsible and qualified general
151 bidder on the basis of competitive bids in accordance with the
152 procedures set forth in this chapter, after the Commissioner of Public
153 Works or, in the case of a contract for the construction of or work on a
154 building under the supervision and control of the Joint Committee on
155 Legislative Management of the General Assembly, the joint committee
156 or, in the case of a contract for the construction of or work on a
157 building under the supervision and control of one of the constituent
158 units of the state system of higher education, the constituent unit, has
159 invited such bids by advertisements inserted at least once in one or
160 more newspapers having a circulation in each county in the state. The
161 Commissioner of Public Works, the joint committee or the constituent
162 unit, as the case may be, shall determine the manner of submission and
163 the conditions and requirements of such bids, and the time within
164 which the bids shall be submitted, consistent with the provisions of
165 sections 4b-91 to 4b-96, inclusive, as amended. Such award shall be
166 made within sixty days after the opening of such bids. If the general
167 bidder selected as the general contractor fails to perform the general
168 contractor's agreement to execute a contract in accordance with the
169 terms of the general contractor's general bid and furnish a performance
170 bond and also a labor and materials or payment bond to the amount
171 specified in the general bid form, an award shall be made to the next
172 lowest responsible and qualified general bidder. If the lowest
173 responsible and qualified bidder's price submitted is in excess of funds
174 available to make an award, the Commissioner of Public Works, the
175 Joint Committee on Legislative Management or the constituent unit, as
176 the case may be, is empowered to negotiate with such bidder and
177 award the contract on the basis of the funds available, without change
178 in the contract specifications, plans and other requirements. If the
179 award of a contract on said basis is refused by such bidder, the
180 Commissioner of Public Works, the Joint Committee on Legislative

181 Management or the constituent unit, as the case may be, may negotiate
182 with other contractors who submitted bids in ascending order of bid
183 prices without change in the contract, specifications, plans and other
184 requirements. In the event of negotiation with general bidders as
185 provided herein, the general bidder involved may negotiate with
186 subcontractors on the same basis, provided such general bidder shall
187 negotiate only with subcontractors named on such general bidder's
188 general bid form.

189 (b) Notwithstanding the provisions of this chapter regarding
190 competitive bidding procedures, the commissioner may select and
191 interview at least three responsible and qualified general contractors,
192 and may negotiate with any one of such contractors a contract which is
193 both fair and reasonable to the state for a community court project, as
194 defined in subsection (j) of section 4b-55, the downtown Hartford
195 higher education center project, as defined in subsection (l) of section
196 4b-55, The University of Connecticut library project, as defined in
197 subsection (d) of said section, [or] the Connecticut Juvenile Training
198 School project, as defined in subsection (k) of said section 4b-55, or a
199 juvenile detention center project, as defined in subsection (m) of
200 section 4b-55, as amended by this act. Any general contractor awarded
201 a contract pursuant to this subsection shall be subject to the same
202 requirements concerning the furnishing of bonds as a contractor
203 awarded a contract pursuant to subsection (a) of this section."

204 In line 12, after "passage" insert ", except that sections 3 to 5,
205 inclusive, shall take effect July 1, 2000"